

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

PLAYUP, INC.,

Plaintiff,

vs.

DR. LAILA MINTAS,

Defendant.

Case No.: 2:21-cv-02129-GMN-NJK

ORDER

Pending before the Court is Plaintiff PlayUp, Inc.’s (“Plaintiff’s”) Motion for Extension of Time Regarding the Order Granting the Emergency Motion for Temporary Relief, (ECF No. 13). For the reasons set forth below, Plaintiff’s Motion for Extension of Time is **GRANTED**.

In the Motion, Plaintiff notes that “it has repeatedly attempted to serve Defendant Laila Mintas (“Defendant”) at her last known address without success.” (Mot. Extension 2:2-4, ECF No. 13). Pursuant to FRCP 65(b)(2), a court may extend an *ex parte* temporary restraining order for good cause. *See* Fed. R. Civ. P. 65(b)(2). A plaintiff’s inability to locate and serve defendants serves as good cause. *Oh My Green, Inc. v. Cuffe*, No. CV1925097PAPVCX, 2020 WL 3213715, at *2 (C.D. Cal. Mar. 20, 2020); *Fed. Trade Comm’n v. Money Now Funding, LLC*, No. CV-13-01583-PHX-ROS, 2013 WL 11826540, at *1 (D. Ariz. Aug. 19, 2013). The extension may be extended for a “liked period of the adverse party consents to a longer extension.” *See id.* However, “[i]f the order is issued without notice, the motion for a preliminary injunction must be set for hearing at the earliest possible time.” Fed. R. Civ. P. 65(b)(3).

Here, Plaintiff has attempted to serve Defendant at her Property since December 2, 2021. (Aff. Tanner Trewet, Ex. 1 to Mot. Extension, ECF No. 13-1). During its first attempt, Plaintiff

1 left documents with an unidentified individual at Plaintiff's presumed home (the "Property").
2 (*See id.*). The individual stated that he is performing a home inspection and believed that
3 Defendant has since moved to the Bahamas. (*See id.*). Plaintiff then hired an investigator to
4 locate and serve Defendant who surveilled the property on December 4, 2021, and December 5,
5 2021. (Private Investigations Report, Ex. 3 to Mot. Extension, ECF No. 13-3). The
6 investigation revealed that Defendant's home is currently under contract, but official records
7 show that the property is still owned by Defendant. (*Id.*). Plaintiff's counsel also contacted
8 Defendant via email to request a new address and location, to which Defendant refused to
9 provide. (*See* Email from Farshad Amirbeaggi, Counsel for PlayUp, Inc. (December 4, 2021,
10 03:31 AEDT), Ex. 5 to Mot. Extension, ECF No. 13-5).

11 Accordingly,

12 **IT IS HEREBY ORDERED** that Plaintiff's Motion for Extension of Time, (ECF No.
13 13), is **GRANTED**. The new expiration date for the Temporary Restraining Order, which is
14 currently set to expire on December 17, 2021, is thus extended to January 3, 2022,¹ at 5:00 PM.

15 **IT IS FURTHER ORDERED** that Plaintiff shall serve Defendant with a copy of this
16 Order by Monday, December 20, 2021, at 5:00 PM.²

17 **IT IS FURTHER ORDERED** that Defendant shall have until Monday, December 27,
18 2021, at 12:00 PM to file its response brief to Plaintiff's Motion for Preliminary Injunction,
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22 ¹ Because a 14-day extension would fall on New Year's Eve, when the Court is closed, the Court finds good
23 cause to extend the temporary restraining order to the following Monday, January 3, 2022. *What is the court's*
24 *holiday schedule?* (updated June 21, 2021), U.S. District Court for the District of Nevada (December 7, 2021,
12:00 PM), <https://www.nvd.uscourts.gov/uFAQs/courts-holiday-schedule/> (noting that "[w]hen a holiday falls on
a . . . Saturday . . . the holiday usually is observed on . . . Friday).

25 ² Plaintiff's original deadline to serve Defendant was December 6, 2021. (*See* Order Granting in Part and
Denying in Part the Temporary Restraining Order 14:7–8).

1 (ECF No. 4). Thereafter, Plaintiff shall have until Wednesday, December 29, 2021, at 12:00
2 PM to file its reply brief.³

3 **IT IS FURTHER ORDERED** that this matter is set for hearing on Plaintiff's Motion
4 for Preliminary Injunction on Monday, January 3, 2022, at 10:00 A.M. in Las Vegas Courtroom
5 7D.

6 **DATED** this 7 day of December, 2021.

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10 Gloria M. Navarro, District Judge
11 United States District Court
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³ Defendant's original deadline to file a response was December 13, 2021, and Plaintiff's original deadline to file a reply was December 15, 2021. (*See id.* 14:9–11).